

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

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Michael Thomas Kleiber

Civil No. 23-311 (PJS/LIB)

Plaintiff,

vs.

ORDER ADOPTING
REPORT AND RECOMMENDATION

Minnesota Department of Corrections,

Defendant.

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Based upon the Report and Recommendation of United States Magistrate Judge Leo I. Brisbois, and after an independent review of the files, records and proceedings in the above-entitled matter, **IT IS ORDERED:**

1. Defendant's Motion to Dismiss, [Docket No. 8], is **GRANTED**;
2. Plaintiff's sole remaining claim as alleged against the Minnesota Department of Corrections is **DISMISSED with prejudice**; and
3. The present action is **DISMISSED**.

LET JUDGMENT BE ENTERED ACCORDINGLY.

DATED: 10/02/2023
At Minneapolis, Minnesota

s/Patrick J. Schiltz
Patrick J. Schiltz, Chief Judge
United States District Court